

SECOND REGULAR SESSION

HOUSE BILL NO. 2638

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE BLACK.

6343H.01I

JOSEPH ENGLER, Chief Clerk

AN ACT

To amend chapter 630, RSMo, by adding thereto one new section relating to funding of behavioral health services.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 630, RSMo, is amended by adding thereto one new section, to be known as section 630.230, to read as follows:

630.230. 1. As used in this section, the following terms mean:

(1) "988", the three-digit number that offers statewide access to crisis services via call, text, or chat twenty-four hours per day, seven days per week;

(2) "CMRS provider", an entity authorized by the Federal Communications Commission to provide commercial mobile radio service within the state;

(3) "Commercial mobile radio service" or "CMRS", a mobile telecommunications service as defined in the federal Mobile Telecommunications Sourcing Act, 4 U.S.C. Section 124, as amended;

(4) "Crisis services", core behavioral health crisis services including, but not limited to, 988 call, text, or chat; mobile crisis response services; and behavioral health crisis center operations and services;

(5) "Dealer", a person who sells prepaid CMRS to an end user;

(6) "End user", a person who purchases prepaid CMRS in a retail transaction;

(7) "Open access services", services available for uninsured or underinsured individuals in need of behavioral health services;

(8) "Place of primary use", the same meaning given to the term in the federal Mobile Telecommunications Sourcing Act, 4 U.S.C. Section 124, as amended;

EXPLANATION — Matter enclosed in bold-faced brackets [~~thus~~] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 **(9) "Postpaid CMRS", a commercial mobile radio service that is not prepaid**
19 **CMRS;**

20 **(10) "Prepaid CMRS", a commercial mobile radio service that allows a caller to**
21 **dial 988 to access the 988 system when commercial mobile radio service is required to be**
22 **paid for in advance and is sold in predetermined units or dollars of which the number**
23 **declines with use in a known amount;**

24 **(11) "Prepaid wireless charge", the charge that is required to be collected by a**
25 **dealer from an end user in the amount established under subsection 2 of this section;**

26 **(12) "Retail transaction", the purchase of prepaid CMRS from a dealer for any**
27 **purpose other than resale. If more than one item or article of prepaid CMRS is**
28 **purchased by an end user, each item or article purchased shall be deemed to be a**
29 **separate retail transaction.**

30 2. (1) Each dealer shall collect a prepaid CMRS wireless 988 charge of two
31 dollars and fifty cents from the end user for prepaid wireless telecommunication devices
32 or services with respect to each retail transaction occurring in the state.

33 (2) Each CMRS provider and each reseller of CMRS shall collect a monthly
34 postpaid wireless 988 charge of sixty-five cents per access line from each of its customers
35 whose place of primary use is within the state. The charge shall be billed with respect to
36 customers of postpaid CMRS by each CMRS provider and reseller of CMRS on each
37 CMRS device capable of two-way interactive voice communication.

38 (3) The amount of the prepaid wireless charge that is collected by a dealer from
39 an end user, if such amount is separately stated on an invoice, receipt, or other similar
40 document provided to the consumer by the seller, shall not be included in the base for
41 measuring any tax, fee, surcharge, or other charge that is imposed by this state, any
42 political subdivision of this state, or any intergovernmental agency.

43 3. (1) All revenues from taxes and fees imposed under this section shall be
44 utilized by the department of mental health for the operation of crisis services and open
45 access services.

46 (2) All taxes and fees collected under this section shall be remitted to the director
47 of the department of revenue. The director of the department of revenue shall deposit
48 such payments into the 988 crisis continuum fund established in this section.

49 (3) All service charges imposed under this section together with all taxes
50 imposed under the sales tax law of the state of Missouri shall be reported upon such
51 forms and under such administrative rules and regulations as may be prescribed by the
52 director of the department of revenue.

53 4. (1) There is hereby created in the state treasury the "988 Crisis Continuum
54 Fund", which shall consist of taxes and fees collected under this section as well as any

55 moneys appropriated to it by the general assembly and any gifts, grants, donations, or
56 bequests received from federal, private, or other sources. The state treasurer shall be
57 custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer
58 may approve disbursements. The fund shall be a dedicated fund and, upon
59 appropriation, moneys in this fund shall be used by the department of mental health
60 for the purposes set forth in subsection 3 of this section.

61 (2) Notwithstanding the provisions of section 33.080 to the contrary, any moneys
62 remaining in the fund at the end of the biennium shall not revert to the credit of the
63 general revenue fund.

64 (3) The state treasurer shall invest moneys in the fund in the same manner as
65 other funds are invested. Any interest and moneys earned on such investments shall be
66 credited to the fund.

67 5. The director of the department of revenue shall promulgate all necessary rules
68 and regulations for the administration of this section. Any rule or portion of a rule, as
69 that term is defined in section 536.010, that is created under the authority delegated in
70 this section shall become effective only if it complies with and is subject to all of the
71 provisions of chapter 536 and, if applicable, section 536.028. This section and chapter
72 536 are nonseverable and if any of the powers vested with the general assembly
73 pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul
74 a rule are subsequently held unconstitutional, then the grant of rulemaking authority
75 and any rule proposed or adopted after August 28, 2026, shall be invalid and void.

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